

**REMARKS**

Claims 3, 11-13, 16, 20, 22, and 29-63 are pending in this application and are herewith canceled without prejudice or disclaimer. Claims 64-95 are herewith added. With the entry of this amendment, claims 64-95 will be active in this case. The specifications of the original parent application, USSN 08/198,068, and the present application support the new claims, as set forth in Appendix 1.

Claims 64 and 65 are identical to canceled claims 32 and 33, which were copied at the suggestion of the Examiner. However, because these claims are narrower in scope than other claims in U.S. Patent No. 5,639,940 by Garner *et al.*, such claims should not be counts in an interference with the Garner patent. Under 37 CFR §1.606, the initial count may not be narrower in scope than any patent claim. See also MPEP §2309.01. In order to assist the Examiner, applicants have added claims 66 and 69 that are identical to the broadest claims in the Garner patent, and which, consequently, would be appropriate counts to the interference.

Claims 74 to 95 are similar to the other remaining claims in U.S. Patent No. 5,639,940 and are similarly allowable over the prior art.

Applicants herewith correct inventorship to delete the names of Susan T. Lord and Christopher G. Russell, who are inventors of the subject matter of claim 30, which is herewith canceled. Attached is the requisite Petition under 37 CFR § 1.48(b) to make such correction.


Applicants amend the specification to correct the citation to Krimpenfort *et al.* to read *Bio/Technology* 9:844 (1991). A copy of Krimpenfort is enclosed to verify the correct citation.

**CONCLUSION**

Applicants assert that new claims 64-95 meet all requirements of patentability and therefore are in condition for allowance. The Examiner is invited to contact the undersigned attorney to discuss any issues regarding this case.

Respectfully submitted,

March 16, 1998  
Date

  
Jayme A. Huleatt  
Reg. No. 34,485

FOLEY & LARDNER  
3000 K Street, N.W., Suite 500  
P.O. Box 25696  
Washington, D.C. 20007-8696  
(202) 672-5300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 30523/125

In re patent application of  
William H. Velander, et al.  
Serial No. 08/443,184  
Filed: May 17, 1995  
For: TRANSGENIC FIBRINOGEN

Group Art Unit: 1804  
Examiner: Stanton, B.

16X  
2/21

TRANSMITTAL

RECEIVED

Assistant Commissioner for Patents  
Washington, D.C. 20231

MAR 17 1998

Sir:

MATRIX CUSTOMER  
SERVICE CENTER

Transmitted herewith is an Amendment in the above-captioned application.  
The fee has been calculated as shown below. (Small entity fees indicated  
in parentheses.)

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims	32	-	42	0	22.00	0.00
(Small Entity)					(11.00)	
Independent claims	8	-	12	0	82.00	0.00
(Small Entity)					(41.00)	
Multiple Dependent	0	-	0	0	270.00	0.00
(Small Entity)					(135.00)	
Extension of Time	One Month		Two Months	Three Months		
Fee	\$110		\$400	\$950		0.00
(Small Entity)	(\$55)		(\$200)	(\$475)		
Total						\$0.00

A check in the amount of the above Total Fee is attached. This amount is  
believed to be correct; however, the Commissioner is hereby authorized to  
charge any deficiency or credit any overpayment to Deposit Account No. 19-

03/19/1998 PDELQATC 00000010 08443184  
01 FC:122 130.00 0P

Respectfully submitted,

Date: March 16, 1998

  
Jayme A. Huleatt  
Reg. No. 34,485

FOLEY & LARDNER  
3000 K Street, N.W., Suite 500  
P.O. Box 25696  
Washington, D.C. 20007-8696  
(202) 672-5300